

REMARKS

Claims 1-12 are pending in this application, of which claims 1-2, 5 and 9 have been amended.
No new claims have been added.

The Examiner has objected to claim 5 for an informality which has been corrected in the
aforementioned amendments.

Claims 1-4 and 9-12 stand rejected under 35 USC §103(a) as anticipated by U.S. Patent
4,684,930 to Minasy et al. (hereinafter "**Minasy et al.**").

Applicants respectfully traverse this rejection.

Minasy et al. discloses a deactivator for deactivating targets used in electro-magnetic article
surveillance systems which comprises a solid element with a convexly curved outer surface, e.g., a
cylinder, and a plurality of permanent magnets which form a patter of variously directed magnetic
fields is a plane adjacent the surface. The curved surface of the deactivator is rolled over a target to
be deactivated. The magnets are also arranged in adjacent layers with the magnets of one layer
extending in a direction different from the magnets of the other layer to form a composite magnetic
pattern which is discontinuous in all directions.

The detector of **Minasy et al.** is shown as a pair of walk-through antenna panels 20, 22.

This is in contrast to the present invention, in which the detector is provided downstream and
adjacent to the deactivator on the same counter top surface so that if deactivation fails, the tag may
be immediately run through the adjacent deactivator again. The detector claimed in the present
invention is in addition to the deactivator which deactivates the tag, and is used to detect effectivity
of the tag.

U.S. Patent Application Serial No. 09/282,450

Accordingly, claims 1-2, and 9 have been amended to recite this distinction. Thus, the 35 USC §103(a) rejection should be withdrawn.

Claims 5-7 stand rejected under 35 USC §103(a) as unpatentable over Minasy et al. in view of U.S. Patent 5,640,002 to Ruppert et al. (hereinafter "Ruppert et al.").

Applicants respectfully traverse this rejection.

The Examiner has admitted that Minasy et al. does not disclose the system having a host terminal for controlling the operation of the entire system and a reporting unit for reporting the result of detection to the host terminal as electronic data, but has cited Ruppert et al. for teaching such a host terminal.

Ruppert et al. discloses a portable barcode and RF ID tag reader that gathers information about items to be purchased etc. by reading barcodes or RF ID tags. A store host computer gathers information about items to be purchased from the portable barcode/ID Tag readers and then the items are bagged by the customer at the checkout stand or by employees of the store at the checkout stand or in a separate warehouse from which the customer picks up the order. The portable barcode/RF ID tag reader can also be used in authenticating articles by accessing a factory computer using a serial number for the article scanned from an RF ID tag on the article. The portable barcode/RF ID tag reader is comprised of a microprocessor coupled to a bar code reader, an RF ID tag reader, a spread spectrum RF transceiver, a communication port, an audible feedback device, a touchscreen or light pen and display, a thermal printer and a magnetic stripe card reader and a smart card reader.

Ruppert et al., like Minasy et al. discussed above, fails to teach, mention or suggest a

U.S. Patent Application Serial No. 09/282,450

detector arranged adjacent to the deactivator on the same counter top surface, as recited in the amendments to claim 2, from which these claims depend.

Thus, the 35 USC §103(a) rejection should be withdrawn.

Claim 8 has been allowed.

In view of the aforementioned amendments and accompanying remarks, claims 1-12, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

U.S. Patent Application Serial No. 09/282,450

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP



William L. Brooks
Attorney for Applicant
Reg. No. 34,129

WLB/mla

Atty. Docket No. **990295**
Suite 1000, 1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE

Enclosures: Version with markings to show changes made
Petition for Extension of Time

H:\HOME\etitia\WLB\99\990295\response aug 2002

VERSION WITH MARKINGS TO SHOW CHANGES MADE 09/282,450

IN THE CLAIMS:

Please amend claims 1-2, 5 and 9 as follows:

1. (Four Times Amended) A commodity information management system for managing a commodity as well as security thereof based on a barcode and a tag attached to said commodity, said system comprising:

a reader provided on a counter top surface for reading the barcode;

a deactivator provided on said counter top surface downstream from said reader for deactivating the tag after the barcode is read by the reader;

a detector provided on said counter top surface downstream from and adjacent to said deactivator for detecting effectivity of the tag; and

a notifying unit for notifying an operator of a detection result by said detector,

wherein said tag is for assuring that payment for said commodity attached thereon is done.

2. (Four Times Amended) A commodity information management system for managing commodity as well as security thereof based on a barcode and an activated tag attached to said commodity, said system comprising:

a reader provided on a counter top surface for reading the barcode;

a deactivator provided on said counter top surface downstream from said reader for

deactivating the tag after the barcode is read by the reader;

a detector provided on said counter top surface downstream from and adjacent to said deactivator for detecting magnetism of the tag; and

a notifying unit for notifying an operator of a detection result by said detector,

wherein said tag is for assuring that payment for said commodity attached thereon is done.

5. (Twice Amended) A commodity information management system according to Claim 2, further comprising:

a host terminal for controlling the operation of [the] an entire system; and

a reporting unit for reporting the result of detection to said host terminal.

9. (Four Times Amended) A commodity information management system having a barcode reader for reading a barcode, comprising:

an output unit for outputting, when the barcode is read by the barcode reader on a counter top surface, a deactivating section-drive signal for driving a deactivating section on said counter top surface which deactivates a security tag attached to commodity;

a magnetic detector arranged on said counter top surface adjacent to said deactivating section for detecting the magnetic field of the security tag; and

a notifying unit for sending a notice to the operator when magnetism of the security tag is detected by said magnetic detector after said deactivating section is driven,

wherein said tag is for assuring that payment for said commodity attached thereon is
done.